

RECEIVED

OCT 23 1995

Department of Water Resources

Movant's Name:

UNITED STATES OF AMERICA

Attorneys' Names and Addresses:

LOIS J. SCHIFFER
Assistant Attorney General
Environment and Natural Resources Division

DARIA J. ZANE
R. LEE LEININGER
Attorneys, Department of Justice
General Litigation Section
Environment and Natural Resources Division
P.O. Box 663
Washington, D.C. 20044-0663
(202) 272-8351, (202) 272-4692

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA	)	Sub-case Nos. 34-00784, ¹
	)	34-00785, 34-00786, 34-00441
	)	34-00516 and 34-00525
	)	
Case No. 39576	)	MOTION TO VACATE
	)	SCHEDULING CONFERENCE
	)	

Descriptive Summary

This is a motion, prepared by counsel for the United States by and through the Bureau of Land Management, to vacate the scheduling conferences set for October, 19, 1995, for the above-referenced subcases.

Discussion

On August 22, 1995, the parties to these subcases, the United States and Jimmie and Elsie Waddoups and their attorney,

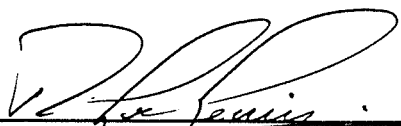
¹ The United States has been dismissed as a party to subcase 34-00784 by Order of the Court dated September 20, 1995.

Mr. Buck Hiller, met in Arco, ID for a mandatory settlement conference. At that conference the parties agreed to the proposed elements for these water rights.

The agreed upon elements for these claims required a recalculation of certain amounts of water by the IDWR. This information was provided the claimant and copied to the objector in September. The parties now have all the information necessary to execute their agreement in the form of a Standard Form No. Five. The United States has contacted the claimants attorney's office and both parties agree that the Standard Forms Five for these subcases will be submitted to the Court in the very near future.

WHEREAS, all the parties have agreed to the elements of these claims and are prepared to sign Standard Form No. 5, a scheduling conference for these subcases is not necessary. The claimants attorney's office has been contacted and are in agreement that a scheduling conference is unnecessary. Therefore, the parties respectfully request that the scheduling conferences set for these subcases be vacated and the parties allowed an additional two weeks to fully execute their agreement and file the Standard Forms No. 5 with the Court.

Respectfully submitted this 16th day of October, 1995,



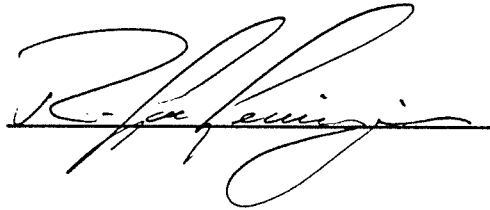
R. Lee Leininger
Daria J. Zane
William M. Ferry
Attorneys, ENRD

CERTIFICATE OF SERVICE

I certify that on the 16th day of October, 1995, I served a true and correct copy of the United States' Motion to Vacate Scheduling Conferences for subcases 34-00784, 34-00785, 34-00786, 34-00441, 34-00516 and 34-00525 upon the following individuals:

Matt J. Howard
Susan E. Hamlin
Deputy Attorney General
Idaho Department of Water Resources
1301 N. Orchard St.
Boise, Idaho 83702

M.B. Hiller, Esq.
Hiller, Benjamin and Assoc.
Earl Bldg.
525 Park Avenue
Idaho Falls, ID 83405-2020
Attorney for claimants

A handwritten signature in cursive script, appearing to read "R. K. Lewis", is written over a horizontal line.